Mr. K. Achyuta Menon:—If a question is put I shall answer.

Mr. K. M. Ibrahim:—Do not the Government think that unintelligible questions should be referred back?

Mr. K. Achyuta Menon:—Times without number we have answered that question. There is no provision to do that.

Mr. K. M. Ibrahim:—If there is no provision you should make some provisions.

Mr. K. Achyuta Menon:—The question is one for eliciting information and not upon what the Government ought to do. That does not arise as a supplementary question here.

Mr. K. M. Ibrahim:—What is the Government position? Will they make an attempt to see that in future unintelligible questions will be sent back to the members so that it may be returned again in an intelligible manner?

Mr. K. Achyuta Menon:—I maintain that it is not a supplementary question.

President:—It is not a supplementary question.

Statistics—pattadars in the State.

330. Mr. A. Sivaraman Menon:—Will the Government be pleased to state number of pattadars in the State owning land to the extent of

(a) 1 acre and less;
(b) more than one acre but less than 5 acres;
(c) more than 5 acres but less than 10 acres;
(d) more than 10 acres but less than 50 acres;
(e) more than 50 acres but less than 100 acres; and
(f) 100 acres and above?

Mr. K. Achyuta Menon:—

(a)	44,612
(b)	28,371
(c)	5,695
(d)	5,628
(e)	978
(f)	782
Total	86,066

Statistics—suits.

331. Mr. A. Sivarama Menon:—(1) Will the Government be pleased to state the total number of

LIBRARY ARCHIVES Kerala Legislative Assembly

(a) original suits,

(b) appeals, and

(c) miscellaneous applications filed during the last 5 years in the Trichur and Anjikaimal District Courts respectively, arranged taluk-war;

(2) have the Government kindly considered the advisability of locating the Additional District Judge's Courts in convenient centres other than Trichur and Ernakulam ?

Mr. Thomas Manjuran—(1) (a) and (b) A statement showing the particulars is appended. (*Vide Appendix I*).

(c) It is not possible to give a taluk-war statement of miscellaneous petitions.

(2) All suits, appeals, etc., are filed in the Principal Court and then transferred to the Additional Court by the Principal Court. So the Additional Court should always be in the same station as the Principal Court. That is the practice obtaining in British India also.

Mr. A. Sivarama Menon:—(c). May I know why it is not possible to get these taluk-war statements of miscellaneous petitions?

Mr. Thomas Manjuran:—The Hon'ble member may know that miscellaneous applications may deal with matters which relate more than one taluk, the properties may be in more than one taluk. Besides it is very difficult to go into these miscellaneous petitions in great detail which thousands, in the case of each court.

Mr. A. Sivarama Menon:—I don't quite understand the Hon'ble member's difficulty. I can understand if it is on the ground of inordinate labour involved.

Mr. Thomas Manjuran—Not only inordinate labour, but there is a chance of these miscellaneous petitions not being so clear as in the case of original suits and appeals. That also is a contributory cause.

Mr. A. Sivarama Menon:—Coming to (c) (2), what is the real difficulty in locating these additional courts elsewhere?

Mr. Thomas Manjuran:—It has been stated in the answer itself. It is conducive to the better and more prompt disposal of business to have these additional courts quite close to principal court. Then sometimes cases have to be transferred to the additional courts. In this week itself a case was transferred from the principal court to the additional court. Unless these courts are situated quite close to each other a lot of unnecessary correspondence and considerable delay would result. There would also be serious inconvenience to the members of the bar and general dislocation of work. Even from the view point of the litigant public to have these courts scattered about cause more

LIBRARY ARCHIVES Kerala Legislative Assembly

inconvenience to them. We are only following closely the practice obtaining in British India.

Mr. A. Sivarama Menon:—I was more on the point of the litigant public than the convenience of the members of the bar. I am sorry I have to say that looked at from that point it will be a great inconvenience to them. If the additional courts could be located elsewhere than the 2 centres, the litigant who has to come from the outside Taluks would certainly be a little nearer. With regard to the members of the bar, the gentlemen of the profession are not only at Trichur and Ernakulam but at the various centres where you have courts. Will the Government be pleased to consider in view of the convenience of the litigant public, whether it is desirable to see that these courts are located elsewhere?

Mr. Thomas Manjuran:—Government are not satisfied that it is more to the convenience of the litigant public. Additional Courts have unlimited jurisdiction. Naturally in a case involving serious facts the litigant may wish to engage senior lawyers. It may not be possible to go and set up practice in individual additional courts situated in the moffusil. It is also to be remembered that in Cochin where no great distances exist, I do not think this would be a real problem. I can understand a similar point being taken with regard to the Madras Presidency. But here the distance between places is too short. Ernakulam can be reached from the remotest portion of Cochin within 5 or 6 hours.

Mr. A. Sivarama Menon:—Is there any special reason why these courts should be located between 40 miles of each other. I submit there is real inconvenience to the parties coming from Kozhinjampara and other distant places to run up to Trichur and conduct cases. Suppose a Court is located at Nemmara. Do not the Government think that it will be very much convenient to the litigants from Kozhinjampara to go to Nemmara and go back the same day, rather than compel them to go to Trichur, spend a day there and return the next day?

Mr. Thomas Manjuran:—There is a Court functioning at Chittur with a jurisdiction of 2 thousand rupees.

Mr. A. Sivarama Menon:—I am now referring to Additional Courts only. With regard to the other point raised, with regard to the Members of the Bar, I submit Sir, that the Hon'ble Law Member must remember that one way of making these centres an important one will be to locate these courts there. It is one of the easiest and sure way of developing these parts. There is no reason why such a development should not be desired in the interests of the general public. May I also submit, Sir, with regard to the practice in British India, of course it is well known that cases are very often transferred, for example from the District Courts of

LIBRARY ARCHIVES Kerala Legislative Assembly

South. Malabar to Calicut and to Palghat and from there to Ottappalam, and so on. I only request the Government will be pleased to consider once again this matter in view of the submissions made.

Execution proceedings—classified statement of.

332. Mr. K. M. Ibrahim:—With reference to Question No. 425, dated 11th August 1933 regarding a classified statement of execution proceedings, will the Government give the information pertaining to 1109 and 1110 or any one single typical month during that period?

Rama Varmha Tampuran:—A statement showing the particulars for Karkadagam 1109 and Chigam 1110 is appended. (*Vide Appendix II.*)

Mr. K. M. Ibrahim:—Sir, a large number of execution proceedings are given here. Is it desirable to allow so many execution proceedings against the agriculturists before final orders are passed on the Antony Committee Report and before the completion of their own debt redemption scheme?

Rama Varmha Tampuran:—Work in the Courts cannot be interfered with and law should be allowed to take its course.

Mr. K. M. Ibrahim:—Is not the idea of this loan distribution that land must be fairly largely distributed?

Rama Varmha Tampuran:—The Antony Committee has not said anything like it. The redemption lays down no principle with regard to land distribution. It only trys to help the poor agriculturists who have been affected by the fall in prices. It does not lay down any principle with regard to the distribution of land among the peasantry or among the landed proprietors of the State.

Mr. K. M. Ibrahim:—The principle is not laid down in so many words. But the spirit of the loan distribution is that.

Rama Varmha Tampuran:—Not that I read in the Proceedings.

Mr. K. M. Ibrahim:—Then, what the Government has actually done by this scheme?

Rama Varmha Tampuran:—Government have not taken up the question regarding land distribution at all. They have never had this problem before them.

Mr. K. M. Ibrahim:—Whenever you want to help the agriculturists this must crop up.

President:—That is another thing.

Mr. K. M. Ibrahim:—Am I to take it, pending final orders on the Antony Committee Report and the completion of their own debt

LIBRARY ARCHIVES Kerala Legislative Assembly